

Tad Pry #095287

Name and Prisoner/Booking Number

ASPC-Eyman, Cook Unit 5B14L

Place of Confinement

P.O. Box 3200

Mailing Address

Florence, AZ 85132

City, State, Zip Code



FILED



LODGED

Dec 23 2021CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**TAD PRY

(Full Name of Plaintiff)

Plaintiff,

v.

(1) Arizona Board of Executive Clemency

(Full Name of Defendant)

(2) "and others"

(3) _____

(4) _____

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.CASE NO. CV-21-2195-PHX-DLR (DMF)

(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**"Juny Trial Demand"

- ☒
- Original Complaint
-
- ☐
- First Amended Complaint
-
- ☐
- Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983☐ 28 U.S.C. § 1331; *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).☐ Other: _____2. Institution/city where violation occurred: ASPC-Eyman, Cook Unit, P.O. Box 3200, Florence, AZ 85132

(Full Name of Defendant)

- (2) Mina Mendez (Chairperson), sued
in her individual capacity;
- (3) Louis Quinones, sued in his individual
capacity;
- (4) Frank Riggs, sued in his individual
capacity;
- (5) Elizabeth Reamer, Deputy County
Attorney for Maricopa County, sued in
her individual capacity;
- (6) "Victim Services" of Arizona Department
of Corrections Rehabilitation & Reentry;
- (7) Cari Garrison, sued in his individual
capacity.

B. DEFENDANTS

1. Name of first Defendant: Arizona Board of Executive Clemency. The first Defendant is employed as: AZ Board of Executive Clemency at State of Arizona.
(Position and Title) (Institution)
2. Name of second Defendant: Mina Mendez. The second Defendant is employed as: Chairperson at Arizona Board of Executive Clemency.
(Position and Title) (Institution)
3. Name of third Defendant: Louis Quinones. The third Defendant is employed as: Board Member at Arizona Board of Executive Clemency.
(Position and Title) (Institution)
4. Name of fourth Defendant: Frank Riggs. The fourth Defendant is employed as: Board Member at Arizona Board of Executive Clemency.
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 2. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: Gerald C. Souch v. Arizona Department of Corrections, et al.
 2. Court and case number: Maricopa County Superior Court, CV-2002-009817
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) Plaintiff filed a Joinder in December 2002 which the Court denied on 12/23/02.
 - b. Second prior lawsuit:
 1. Parties: Tad Pry v. Dora Schriro, et al
 2. Court and case number: United States District Court, CV 04-2166-PHX-EHC (VAM)
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) Was allowed to be dismissed when Plaintiff and Defendants reached a mutual agreement in Plaintiff's favor.
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

B. DEFENDANTS

5. Name of Fifth Defendant: Elizabeth Reamer. The fifth Defendant is employed
 as: Deputy County Attorney at Maricopa County Attorney's Office
 (Position and Title) (Institution)

6. Name of Sixth Defendant: Victim Services of ADDCRR. The Sixth Defendant is employed
 as: Provide victim's spokesperson at Parole Hearings at Victim Services, Arizona Dept. of Corrections Rehabilitation
 (Position and Title) (Institution) & Reentry

7. Name of Seventh Defendant: Cari Garrison. The Seventh Defendant is employed
 as: Victim's spokesperson at Parole Hearing at Victim Services, Arizona Dept. of Corrections Rehabilitation
 (Position and Title) (Institution) & Reentry

D. CAUSE OF ACTION

COUNT I

1. State the constitutional or other federal civil right that was violated: 6th and 14th Amendment
Violation of the Constitution

2. Count I. Identify the issue involved. Check only one. State additional issues in separate counts.
- | | | | |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Parole Hearing</u> | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The Arizona Board of Executive Clemency through its Board Members have sanctioned, created and/or implemented a Policy/Custom which established a line of questioning that on its face violates an individual's 6th and 14th Amendment "Rights" under the Constitution, as such denying this Plaintiff Tad Pry a fair and unbiased Parole Hearing. On May 11, 2021, Plaintiff Tad Pry appeared before the Board Members of Arizona Board of Executive Clemency for a Parole Hearing, Defendant Mina Mendez (chairperson) read into the Parole Hearing record every charge that was originally lodged against Plaintiff Tad Pry and dismissed later after the plea agreement was reached for three Attempts "only". Defendant Louis Quinones and Defendant Frank Riggs started questioning Plaintiff Tad Pry about all the charges that Defendant Mina Mendez read into the Hearing record, to include one of the Board Members asking Plaintiff Tad Pry "how many times he had sex in a two year period," when the Plaintiff didn't answer that question, the ~~Board~~ Board Member stated that the Plaintiff was being elusive, Defendant Elizabeth Reamer, Deputy County Attorney for Maricopa County also added allegations outside of plea agreement that were never proven. Cari Garrison from Victim Services read Debbie Pry's letter to the Arizona Board of Executive Clemency that were full of allegations that were false, Debbie Pry violated Maricopa County

(Cont. 3A)

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).
Denied fair Parole Hearings and possible release from prison due to established line of questioning Arizona Board of Executive Clemency allows its Board Members to use, same type of questioning that been used on Plaintiff Tad Pry over the past five years.

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Count I? ☐ Yes ☒ No
- c. Did you appeal your request for relief on Count I to the highest level? ☐ Yes ☒ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. The AZ Board of Executive Clemency is independant of the prison, I have gave written Notice to the Board about these violations by certified Mail

D. CAUSE OF ACTION

3. Supporting Facts.

Superior Court orders and has dodged serves of Civil Contempt papers. Debbie Pry is not and was not a victim in my crime, nor was she deemed a victim in any court action anywhere in Arizona. Debbie Pry used the victim ploy to hinder any possible chance of parole for Plaintiff Tad Pry her ex-husband. Cari Garrison failed to verify the information in the letter and verify whether Debbie Pry was deemed a victim by any Court in the State of Arizona before reading her letter to the Arizona Board of Executive Clemency.

COUNT II

1. State the constitutional or other federal civil right that was violated: _____

2. **Count II.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: | _____ |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Count II? ☐ Yes ☐ No
- Did you appeal your request for relief on Count II to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

COUNT III

1. State the constitutional or other federal civil right that was violated: _____

2. **Count III.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the **FACTS** supporting Count III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Count III? ☐ Yes ☐ No
- Did you appeal your request for relief on Count III to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Counts, answer the questions listed above for each additional Count on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

1. Enter Judgment in Plaintiff's Favor on the presented Claim;
2. Enter Declaratory Judgment stating Defendants have willfully and wrongfully violated Plaintiff's Constitutional Rights under the 6th and 14th Amendment;
3. Award General and Compensatory Damages Equal to ~~\$500~~ \$5,000.000.00 for violating Plaintiff's Constitutional Rights, as will be proven at trial;
4. Exemplary and Punitive Damages against each and every Defendant as Proven at trial
5. Award all Plaintiff's Filing, Researching, copying and other costs associated with this matter;
- And 6. ~~For~~ For such other and further Relief as the Court Deems Just and Proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/23/2021
DATE

Tad Pen
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.